



MS RCE
PATENT
2339-120P

RECEIVED
OCT-9 2003
TECHNOLOGY CENTER 2800

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicants: Nigel PRESTON et al. Conf.: 9401
Serial No.: 09/811,668 Art Unit: 2841
Filed: March 20, 2001 Examiner: P. Vu
For: INTRINSICALLY SAFE PORTABLE PROGRAMMER FOR
ENCLOSED ELECTRONIC CONTROL EQUIPMENT

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

October 3, 2003

Sir:

This is a REQUEST FOR CONTINUED EXAMINATION under 37 C.F.R. §1.114, the provisions of which do not apply to:

(1) a provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. §363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination.

Submission of an RCE is limited to an application in which prosecution is closed, e.g., final rejection, *Ex Parte* Quayle, or Notice of Allowability

☒ This Request for Continued Examination is being filed prior to the earliest of:

(1) payment of the issue fee, unless a petition under §1.313 is granted; (2) abandonment of the application; or (3) filing of a Notice of Appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of civil action under 35 U.S.C. §§145 or 146, unless the appeal or civil action is terminated.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. §1.8.

☐ The enclosed document is being transmitted via facsimile.

☒ **Submission Required under 37 C.F.R. §1.114:**

☐ Do **not** enter the Amendment under 37 C.F.R. §1.116 filed

Enter as part of the present submission:

☐ Amendment under 37 C.F.R. §1.116 filed but not previously entered.

☐ Arguments in the Appeal or Reply Brief filed

☒ Attached Amendment. The claim fee is calculated as follows:

	TOTAL NUMBER OF CLAIMS PREVIOUSLY PAID FOR	TOTAL NUMBER OF CLAIMS BEING FILED HEREWITH	<u>NUMBER EXTRA</u>	Large Entity		Small Entity	
				Rate	Fee	Rate	Fee
Total Claims	20	13 =	0	X 18	\$	X 9	\$
Independent Claims	3	2 =	0	X 86	\$	X 43	\$
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				290	\$	145	\$
TOTAL CLAIM FEE(S)						\$0.00	

☐ Information Disclosure Statement (IDS) and Form PTO-1449 are attached for the Examiner's consideration.

☐ Other:

☐ **Miscellaneous**

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of () months. (Period of suspension shall not exceed 3 months.)

☒ **Fees**

The required fee under 37 C.F.R. §1.17(e) as required by 37 C.F.R. §1.114 when the RCE is filed, is enclosed herewith:

☐ \$385.00 - small entity

☒ \$770.00 - large entity

☒ Applicants hereby request a three-month extension of time pursuant to 37 C.F.R. §§1.17 and 1.136(a). The fee is calculated as follows:

☒ No extensions of time have been obtained. Thus, a fee of \$950 is required for the full three-month extension of time.

☐ An extension of () month(s) was previously requested and paid for on in the instant application. Thus, a fee of \$0.00 is required to obtain an additional () month(s) extension.

☐ The fee of \$130.00 under 37 C.F.R. §1.17(i) for suspension of action is enclosed.


☒ Enclosed is a \$1720 check for the filing and extension fees.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to debit Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §1.16 or §1.17, particularly extension of time fees, or to credit said Deposit Account for any overpayment of fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #39,491
f₂ Michael K. Mutter, #29,680

2339-120P
Attachment
MKM:HNS:rk

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000